

James G. Garcia  
PrisonerID#: K-26584  
Ironwood State Prison  
P.O. Box 2199  
Blythe, CA 92226

Plaintiff, In pro se

FILED  
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RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JAMES G. GARCIA,

Plaintiff,

v.

BEN CURRY, Warden, et al.,

Defendant's,

Case No. CV 07-6262 CRB (PR)

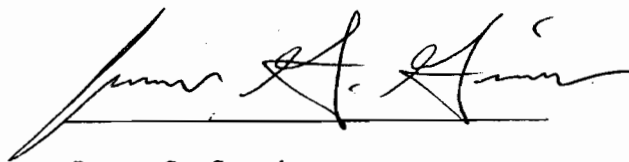
REQUEST FOR ENTRY OF DEFAULT

To: Clerk of the Court for the Northern District of California.

You will please enter the default of defendant's L.S. Locke and Pat Barker for failure to plead or otherwise defend as provided by the Federal Rules of Civil Procedure, as appears from the attached declaration of James G. Garcia.

Dated: July 24, 2008

Respectfully submitted,



James G. Garcia  
Plaintiff, In pro se

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 P.O. Box 2199  
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Plaintiff, In pro se

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JAMES G. GARCIA,

Plaintiff,

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BEN CURRY, Warden, et al.,

Defendant's

Case No. CV 07-6262 CRB (PR)

DECLARATION FOR ENTRY OF DEFAULT

State of California )

ss: James G. Garcia

County of Riverside )


Plaintiff James G. Garcia, declares as follow:

1. I am the pro se plaintiff in the above entitled matter.
2. Defendant's L.S. Locke and Pat Barker was served with a copy of the summons and compliant as appears from the proof of service on file.
3. The defendant's L.S. Locke and Pat Barker has not filed or served an answer or taken other action as may be permitted by law although more than 97 days have passed since this Court directed Defendants to file motion for summary judgment or other dispositive motion "no later than 90 days from the date of this order." Thus, a motion for summary judgment or dispositive motion

1 was due on July 17, 2008.

2 For the forgoing reasons, I declare under the laws of penalty of perjury  
3 of the United States of California that the forgoing is true and correct  
4 executed on this 24th day of July 2008.

5  
6 Respectfully submitted,

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9 James G. Garcia  
10 Plaintiff, In pro se  
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Plaintiff, In pro se

IN THE UNITED STATES DISTRICT COURT  
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JAMES G. GARCIA

Plaintiff,

v.

BEN CURRY, Warden, et al.,

Defendant's,

Case No. CV 07-6262 CRB (PR)

DECLARATION AS TO MILITARY SERVICE

State of California )

ss: James G. Garcia.

County of Riverside )

Plaintiff James G. Garcia, declares as follow:

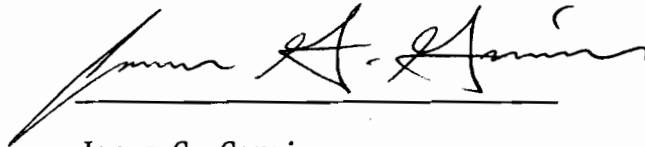
1. I am the pro se plaintiff in the above entitled matter. I make this declaration pursuant to the requirements of the Soldiers' and Sailors' Civil Relief Act, 50 U.S.C., Appendix, §520.

2. The defendant's L.S. Locke and Pat Barker has worked at the Correctional Training Facility since plaintiff was first incarcerated in September 29, 2006.

3. Based on that fact, the plaintiff is convinced that defendant's L.S. Locke and Pat Barker is not in the military service of the United States.

1 For the forging reasons, I declare under penalty of perjury under the laws  
2 of the United States of California that the for going is true and correct  
3 executed on the 24th day of July 2008.

4  
5 Respectfully submitted,

6  
7 A handwritten signature in dark ink, appearing to read 'James G. Garcia', is written over a horizontal line.

8 James G. Garcia  
9 Plaintiff, In pro se  
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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JAMES G. GARCIA,

v.

Case No. CV 07-6262 CRB (PR)

BEN CURRY, Warden, et al.,

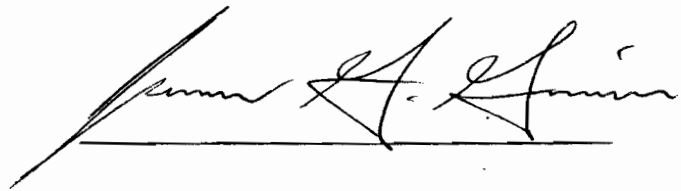
PROOF OF SERVICE

I hereby declare that on July 24, 2008, I served a copy of the attached  
REQUEST FOR ENTRY OF DEFAULT by placing a copy in a postage paid envelope  
addressed to the person(s) hereinafter listed, by surrendering said envelope  
to the staff at Ironwood State Prison entrusted with the logging and mailing  
of inmate legal mail:

Office of the U.S. Court Clerk  
For The Northern District of California  
450 Golden Gate Avenue  
San Francisco, CA 94102

Office Of The Attorney General  
Department Of Justice  
455 Golden Gate Avenue, Suit 1100  
San Francisco, CA 94102-7004

I declare under penalty of perjury that the forgoing is true and correct.

A handwritten signature in black ink, appearing to read "James G. Garcia", is written over a horizontal line.

JAMES G. GARCIA  
PrisnoerID#: K-26584  
Ironwood State Prison  
P.O. Box 2199, D3-149  
Blythe, California 92226



Office Of The U.S. Court Clerk  
For The Northern District Of California  
450 Gloden Gate Avenue  
San Francisco, California 94102



S. Cheng

S. Cheng

7-24-08

LEGAL ONLY